UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,405	07/30/2001	Jochen Heinz	5083-25	4667

7590 06/05/2003

COHEN, PONTANI, LIBERMAN & PAVANE
551 Fifth Avenue, Suite 1210
New York, NY 10176

EXAMINER	
MAYNARD, JENNIFER J	

ART UNIT	PAPER NUMBER
3763	13

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

EE

Office Action Summary	Application No. 09/918,405	Applicant(s) HEINZ ET AL.	
	Examiner Jennifer J Maynard	Art Unit 3763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 July 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the separate and distinct "longitudinally displaceable plunger part", delineated from the plunger rod (4) and plastic plunger stopper (5), must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: In Claim 1 the use of the term "immovably" is not supported in the originally filed specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-15 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's newly amended claim language recites "...a sealing stopper part of plastic which is ***immovably fixed completely within*** the elongate hollow body...". The originally filed specification does not provide support for the limitation of the sealing stopper part being immovable relative to the cylinder, but rather merely recites the stopper being in a fixed position. The Examiner believes that Applicant has utilized the term "immovably" in a manner repugnant to its known meaning, it is the Examiner's opinion that the term "immovably" is intended to mean that an object is incapable or is impossible to move. However, in Applicant's case, once the stopper is inserted into the cylinder, despite its tendency to remain in a fixed position it is the Examiner's assertion that the stopper would move if subjected to sufficient force, which may or may not be equivalent to the frictional force imposed upon the stopper when the plunger rod is translated therethrough during normal use. Page 8, lines 17-19 of Applicant's specification states "The two-part plunger stopper according to the invention firstly comprises a usual elastomer stopper 3 which after placing in the syringe cylinder 1 remains fixed in its position at the rearward end of the syringe cylinder.", it is unclear how the stopper would be inserted into the cylinder other than by its ability to move relative to the syringe cylinder. Further, it is unclear how "usual elastomers", i.e. those readily known in the art, would afford Applicant the ability to make a stopper which could be inserted into the cylinder but prevent it from subsequently being moved, especially when subjected to a great force.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner is unclear whether Applicant's claimed longitudinally displaceable plunger part is separate and distinct from the previously claimed combination of a plastic plunger stopper and a plunger rod. It appears that Applicant's depiction of the claimed invention in Figures 1 and 2, which are described in detail on Pages 8 and 9 in Applicant's specification, is that plastic plunger stopper (5) and plunger rod (4) are formed as one integral or unitary structure. The Examiner has failed to identify the claimed "longitudinally displaceable plunger part" in addition to those structures already claimed. Given that the combination of the plunger stopper and plunger rod are collectively longitudinally displaceable, it would appear that the recitation is redundant. Applicant should refrain from relying upon duplicate or redundant recitations (i.e. different names for the same structure) so as to minimize confusion and indefiniteness derived therefrom.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hersee (US 2,761,447 B1).

Hersee discloses a metering receptacle, as shown in Figure 11, comprising an elongate hollow body (52) having a first end with a closeable exit opening (no reference numeral, interpreted as adjacent to needle mount (63)) and a second end (no reference numeral, interpreted as adjacent to stopper (57)); a plastic plunger stopper (36, details shown in Figure7) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (56) attached to the stopper, the plunger stopper including a sealing stopper part (57) of plastic which is immovably fixed completely within the elongate hollow body (via friction fit) and has a centric through-bore (59) for the passage of the plunger rod, and a longitudinally displaceable plunger part of lubricious plastic connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore.

Claims 1, 3, 4 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Dyke (US 6,413,236 B1).

Van Dyke discloses a metering receptacle (10), as shown in Figure 1, comprising an elongate hollow body (12) having a first end with a closeable exit opening (32) and a second end (30); a plastic plunger stopper (68, 72) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (60)

attached to the stopper, the plunger stopper including a sealing stopper part (34, 36) of plastic which is immovably fixed completely within the elongate hollow body (via an attachment head (38) engaged with the proximal end/side thereof) and has a centric through-bore (40, 42) for the passage of the plunger rod, and a longitudinally displaceable plunger part of lubricious plastic connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore.

Claims 1, 3, 4 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Gibbs (US 6,482,187 B1).

Gibbs discloses a metering receptacle (10), as shown in Figure 1, comprising an elongate hollow body (12) having a first end with a closeable exit opening (16) and a second end (no reference numeral, interpreted as adjacent to sealing stopper part(14)); a plastic plunger stopper (18) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (22) attached to the stopper, the plunger stopper including a sealing stopper part (14) of plastic which is immovably fixed completely within the elongate hollow body and has a centric through-bore (no reference numeral) for the passage of the plunger rod, and a longitudinally displaceable plunger part of lubricious plastic connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hersee (US 2,761,447 A), Van Dyke (US 6,413,236 B1) or Gibbs (US 6,482,187 B1) in view of LeVeen et al. (US 4,201,209 A) or Fischer (US 4,986,820 A).

Hersee, Van Dyke and Gibbs, individually disclose the invention as claimed with the exception of the plunger part being formed as one piece with the plunger rod.

LeVeen et al. and Fischer, individually disclose unitary/integral construction of plungers. LeVeen et al. discloses a plunger (23) with integrally formed plunger tip (26). Fischer discloses a plunger rod (22) with unitarily constructed plunger tip (26).

It would have been obvious to one having ordinary skill in the art to have manufactured Hersee's, Van Dyke's or Gibbs' plunger rod and plunger part via unitary construction taught by either LeVeen et al. or Fischer, so as to eliminate the need for additional assembly costs/steps during the manufacturing process.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hersee (US 2,761,447 A), Van Dyke (US 6,413,236 B1) or Gibbs (US 6,482,187 B1) in view of Vogelman et al. (US 3,958,570 A).

Hersee, Van Dyke and Gibbs, individually disclose the invention as claimed with the exception of a sliding layer of silicon being deposited on an outer circumference of the plunger rod.

Vogelman et al. disclose a syringe plunger (2) coated with a low friction material such as a fluorinated hydrocarbon resin or a silicon(e) resin or any similarly low friction, preferably resilient material, see Column 1, lines 51-57.

It would have been obvious to one having ordinary skill in the art to have modified Hersee's, Van Dyke's or Gibbs' plunger rod with a sliding layer of silicon(e) as taught by Vogelman et al., so as to ensure ease of movement of the plunger rod within the syringe barrel by creating a low friction environment and thus allowing the accuracy of the administration of the syringe contents.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hersee (US 2,761,447 A), Van Dyke (US 6,413,236 B1) or Gibbs (US 6,482,187 B1) in view of Schabron (US 4,576,917 A).

Hersee, Van Dyke and Gibbs, individually disclose the invention as claimed with the exception of the plunger rod being made of a self-lubricating plastic, specifically PTFE.

Schabron discloses a syringe plunger (7), as shown in Figure 7, made of Teflon also known as PTFE (polytetrafluoroethylene), see Column 6, line 6.

It would have been obvious to one having ordinary skill in the art to have manufactured Hersee's, Van Dyke's or Gibbs' plunger rod out of Teflon, also known as PTFE, as taught by Schabron, so as to ensure ease of movement of the plunger rod within the syringe barrel by

creating a low friction environment, as Teflon (also known as PTFE) is known for its inherent lubricity, and thus would allow for accurate administration of the syringe contents.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hersee (US 2,761,447 A), Van Dyke (US 6,413,236 B1) or Gibbs (US 6,482,187 B1) in view of McNeirney et al. (WO 88/09679).

Hersee, Van Dyke and Gibbs, individually disclose the invention as claimed with the exception of the stopper part having peripheral sealing lips on its outer circumference as well as in the centric bore, the stopper part having at least two sealing lips lying over one another, and the plunger part on a side proximal to the stopper part having circumferential sealing lips.

McNeirney et al. discloses a metering receptacle (100), as shown in Figures 1 and 6, comprising an elongate hollow body (12) having a first end with a closeable exit opening (13) and a second end (20); a plastic plunger stopper (30) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; a plunger rod (26) attached to the stopper, and the plunger stopper including a sealing stopper part (22) of plastic within the elongate hollow body and has a centric through-bore (28) for the passage of the plunger rod. The sealing stopper part having two peripheral sealing lips which are in an overlying arrangement on its outer circumference as well as in the centric bore; and the plunger stopper having a proximal side and distal side, the proximal side having first and second sealing lips. The Examiner has attached a copy of Figure 6 with an indication of the Examiner's interpretation of the stopper part and plunger stopper/part.

It would have been obvious to one having ordinary skill in the art to have modified Hersee's, Van Dyke's or Gibbs' plunger stopper and stopper part with the sealing lip structure taught by McNeirney et al., so as to ensure adequate sealing between the inner surface of the elongate body and the outer surface of the plunger stopper and stopper part, in addition to providing an effective seal between the outer surface of the plunger rod and the inner surface of the stopper part.

Claims 1, 3, 4, 9, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (US 3,161,195 A) in view of Kopunek et al. (US 4,776,704 A) or Hersee (US 2,761,447 A).

Taylor et al. discloses a metering receptacle, as shown in Figure 2, comprising an elongate hollow body (11) having a first end with a closeable exit opening (13) and a second end (12); a plastic plunger stopper (14) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (49) attached to the stopper, the plunger stopper including a sealing stopper part (34) of plastic which is immovably fixed within the elongate hollow body (via friction fit) and has a centric through-bore (no reference numeral) for the passage of the plunger rod, a longitudinally displaceable plunger part of lubricious plastic connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore; and a bleeding channel (50) parallel to a longitudinal axis of the plunger rod.

Taylor et al. fails to disclose the sealing stopper part completely within the elongate hollow body.

Kopunek et al. discloses a mixing and dispensing syringe, as shown in Figure 1, comprising an elongate hollow body (12) having a first end with a closeable exit opening (no reference numeral, interpreted as the end adjacent to discharge nozzle (14)) and a second end (no reference numeral, interpreted as the end adjacent to flange (24)); a plastic plunger stopper (28, 30, 40) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (32) attached to the stopper, the plunger stopper including a sealing stopper part (20) of plastic which is immovably fixed completely within the elongate hollow body (via friction fit and closure (22)) and has a centric through-bore (no reference numeral) for the passage of the plunger rod, and a longitudinally displaceable plunger part of lubricious plastic connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore.

Alternatively, Hersee discloses a metering receptacle, as shown in Figure 11, comprising an elongate hollow body (52) having a first end with a closeable exit opening (no reference numeral, interpreted as adjacent to needle mount (63)) and a second end (no reference numeral, interpreted as adjacent to stopper (57)); a plastic plunger stopper (36, details shown in Figure7) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; and a plunger rod (56) attached to the stopper, the plunger stopper including a sealing stopper part (57) of plastic which is immovably fixed completely within the elongate hollow body (via friction fit) and has a centric through-bore (59) for the passage of the plunger rod, and a longitudinally displaceable plunger part of lubricious plastic

connected to the plunger rod so that the displaceable plunger part is moveable away from the sealing stopper part when the plunger rod is moved through the through-bore.

It would have been obvious to one having ordinary skill in the art to have provided Taylor et al. with a plunger stopper (or plunger seal) which was housed completely within the elongate hollow body as taught by Kopunek et al. or Hersee, so as to ensure adequate hermetic sealing or simply as a matter of an obvious equivalent, alternative design choice.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (US 3,161,195 A) in view of Kopunek et al. (US 4,776,704 A) or Hersee (US 2,761,447 A) as applied to claims 1, 3, 4, 9, 13 and 14 above, and further in view of LeVeen et al. (US 4,201,209 A) or Fischer (US 4,986,820 A).

Taylor et al. in view of Kopunek et al. or Hersee disclose the invention as claimed with the exception of the plunger part being formed as one piece with the plunger rod.

LeVeen et al. and Fischer, individually disclose unitary/integral construction of plungers. LeVeen et al. discloses a plunger (23) with integrally formed plunger tip (26). Fischer discloses a plunger rod (22) with unitarily constructed plunger tip (26).

It would have been obvious to one having ordinary skill in the art to have manufactured the plunger rod and plunger part of Taylor et al. in view of Kopunek et al. or Hersee via unitary construction as taught by either LeVeen et al. or Fischer, so as to eliminate the need for additional assembly costs/steps during the manufacturing process.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (US 3,161,195 A) in view of Kopunek et al. (US 4,776,704 A) or Hersee (US 2,761,447 A) as applied to claims 1, 3, 4, 9, 13 and 14 above, and further in view of Vogelman et al. (US 3,958,570 A).

Taylor et al. in view of Kopunek et al. or Hersee disclose the invention as claimed with the exception of a sliding layer of silicon being deposited on an outer circumference of the plunger rod.

Vogelman et al. disclose a syringe plunger (2) coated with a low friction material such as a fluorinated hydrocarbon resin or a silicon(e) resin or any similarly low friction, preferably resilient material, see Column 1, lines 51-57.

It would have been obvious to one having ordinary skill in the art to have modified the plunger rod of Taylor et al. in view of Kopunek et al. or Hersee with the addition of a sliding layer of silicon(e) as taught by Vogelman et al., so as to ensure ease of movement of the plunger rod within the syringe barrel by creating a low friction environment and thus allowing the accuracy of the administration of the syringe contents.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (US 3,161,195 A) in view of Kopunek et al. (US 4,776,704 A) or Hersee (US 2,761,447 A) as applied to claims 1, 3, 4, 9, 13 and 14 above, and further in view of Schabron (US 4,576,917 A).

Taylor et al. in view of Kopunek et al. or Hersee disclose the invention as claimed with the exception of the plunger rod being made of a self-lubricating plastic, specifically PTFE.

Schabron discloses a syringe plunger (7), as shown in Figure 7, made of Teflon also known as PTFE (polytetrafluoroethylene), see Column 6, line 6.

It would have been obvious to one having ordinary skill in the art to have manufactured the plunger rod of Taylor et al. in view of Kopunek et al. or Hersee out of Teflon, also known as PTFE, as taught by Schabron, so as to ensure ease of movement of the plunger rod within the syringe barrel by creating a low friction environment, as Teflon (also known as PTFE) is known for its inherent lubricity, and thus would allow for accurate administration of the syringe contents.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (US 3,161,195 A) in view of Kopunek et al. (US 4,776,704 A) or Hersee (US 2,761,447 A) as applied to claims 1, 3, 4, 9, 13 and 14 above, and further in view of McNeirney et al. (WO 88/09679).

Taylor et al. in view of Kopunek et al. or Hersee disclose the invention as claimed with the exception of the stopper part having peripheral sealing lips on its outer circumference as well as in the centric bore, the stopper part having at least two sealing lips lying over one another, and the plunger part on a side proximal to the stopper part having circumferential sealing lips.

McNeirney et al. discloses a metering receptacle (100), as shown in Figures 1 and 6, comprising an elongate hollow body (12) having a first end with a closeable exit opening (13) and a second end (20); a plastic plunger stopper (30) accommodated in the hollow body in a longitudinally displaceable manner so as to close the second end of the hollow body; a plunger rod (26) attached to the stopper, and the plunger stopper including a sealing stopper part (22) of

plastic within the elongate hollow body and has a centric through-bore (28) for the passage of the plunger rod. The sealing stopper part having two peripheral sealing lips which are in an overlying arrangement on its outer circumference as well as in the centric bore; and the plunger stopper having a proximal side and distal side, the proximal side having first and second sealing lips. The Examiner has attached a copy of Figure 6 with an indication of the Examiner's interpretation of the stopper part and plunger stopper/part.

It would have been obvious to one having ordinary skill in the art to have modified the plunger stopper and stopper part of Taylor et al. in view of Kopunek et al. or Hersee with the sealing lip structure taught by McNeirney et al., so as to ensure adequate sealing between the inner surface of the elongate body and the outer surface of the plunger stopper and stopper part, in addition to providing an effective seal between the outer surface of the plunger rod and the inner surface of the stopper part.

Response to Arguments

Applicant's arguments filed 11 March 2003 with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer J Maynard whose telephone number is 703.305.1356. The examiner can normally be reached on Mondays-Fridays 9:30 AM-5:30 PM; 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 703.308.3552. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9302 for regular communications and 703.872.9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.0858.

J Maynard
June 1, 2003

BRIAN L. CASLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700